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PAYNE, LUNDEEN, D'AMBROSIO & ARISMENDI, L.L.P.

*Attorneys at Law*

1700 WEST LOOP SOUTH, SUITE 1230  
HOUSTON, TEXAS 77027-3008

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ALTON W. PAYNE, PH.D.\*  
DANIEL N. LUNDEEN\*  
JO KATHERINE D'AMBROSIO  
A.M. (ANDY) ARISMENDI, JR.\*

OF COUNSEL

DELMAR L. SROUFE\* (RET.)  
MARK R. WISNER\*  
DAVID B. DICKINSON†  
MALCOLM H. SKOLNICK, PH.D.  
SHERMAN D. PERNIA, PH.D.  
TIM W. CURINGTON

April 13, 1999

INTELLECTUAL PROPERTY LAW

TELEPHONE (713) 840-8008  
TELEFAX (713) 840-8088

\*A PROFESSIONAL CORPORATION  
†BOARD CERTIFIED, CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
ALSO ADMITTED: LOUISIANA

E-MAIL: [mwisner@wt.net](mailto:mwisner@wt.net)

File No. PISA,007/C/CON

Commissioner of Patents and Trademarks  
Washington, DC 20231

Re: Application of: Madhavan Pisharodi  
Serial No.: 09/900,174  
Filed: July 25, 1997  
For: **ROTATING, LOCKING INTERVERTEBRAL DISK  
STABILIZER AND APPLICATOR**

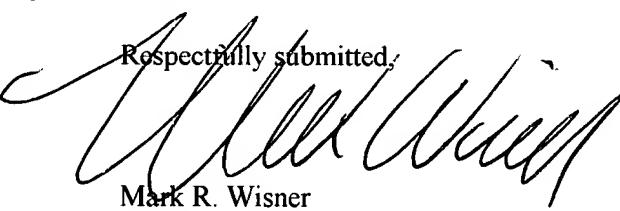
Dear Sir:

Enclosed for filing in connection with the captioned application is/are the following:

- Continuation Application under 37 C.F.R. §1.60(b); and
- Copy of pending prior application Serial No. 08/900,174 (including 10 pages of specification; 2 pages of claims; 1 page of abstract; 2 pages of Declaration; Power of Attorney; Verified Statement Claiming Small Entity Status).

Enclosed is our firm's check in the amount of \$380.00 to cover the fees in connection with this filing. The Commissioner of Patents is hereby authorized to draw on the Deposit Account of Sroufe, Payne & Lundein, L.L.P., Account No. 19-3884 (PISA,007/C/CON), if there are fees associated with this filing and/or if any required fees enclosed are insufficient, the check is unsigned, or if fees are inadvertently not enclosed. Please return the enclosed self-addressed, postage-prepaid postcard evidencing receipt of the above documents.

Respectfully submitted,

  
Mark R. Wisner  
Attorney for Applicant  
Registration No. 30,603

MRW/lm  
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC612 U.S. PTO  
09/29/99  
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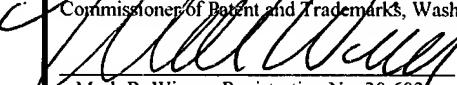
In Re Application of: § Atty Docket No.: PISA,007/C/CON  
Madhavan Pisharodi §  
Serial No.: Unknown § Prior Application:  
§ Serial No.: 08/900,174  
Filed: April 13, 1999 § Group Art Unit: 3738  
Titled: **ROTATING, LOCKING**  
**INTERVERTEBRAL DISK**  
**STABILIZER AND**  
**APPLICATOR** § Examiner: P. Prebilic  
§ Atty Docket No.: PISA,007/CIP

BOX PATENT APPLICATION  
COMMISSIONER OF PATENTS  
AND TRADEMARKS  
WASHINGTON, D.C. 20231

**CERTIFICATE OF MAIL BY EXPRESS MAIL**

Express Mail Number: EJ318645821US  
Date of Deposit: April 13, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patent and Trademarks, Washington, D.C. 20231.

  
Mark R. Wisner, Registration No. 30,603

April 13, 1999  
Date of Signature

**CONTINUATION APPLICATION**

Sir:

This is a request for a filing under the continuation application procedure, 37 C.F.R. §1.60(b), of pending prior application Serial No. 08/900,174, filed on July 25, 1997, Madhavan Pisharodi, Inventor, for **ROTATING, LOCKING INTERVERTEBRAL DISK STABILIZER AND APPLICATOR**.

1. Enclosed is a complete copy of the prior application, including the oath originally filed and a statement verifying the enclosed papers as a true copy as set out below. The enclosed papers include:

- 10 pages of specification;
- 2 pages of claims;
- 1 page of abstract;
- 2 pages of drawings; and
- 2 pages of declaration executed by the inventor.

Please note that the prior application was itself a continuation-in-part application of prior application Serial No. 08/475,211, filed June 6, 1995 and entitled ROTATING, LOCKING, MIDDLE-EXPANDED INTERVERTEBRAL DISK STABILIZER (as amended). Serial No. 08/475,211 was a continuation-in-part of International Application No. PCT/US95/03347 entitled MIDDLE EXPANDED, REMOVABLE, INTERVERTEBRAL DISK IMPLANT AND METHOD OF LUMBAR INTERVERTEBRAL DISK STABILIZATION filed on March 17, 1995. International Application No. PCT/US95/03347 was itself a continuation-in-part of U.S. application Serial No. 08/210,229, filed March 18, 1994 and having that same title.

2. The filing fee is calculated on the basis of the claims existing in the prior application as amended at (5) below:

Basic Fee				\$760/\$380
	Claims Paid For	Extra Claims	Fee	
Total Claims	20	- 0 -	\$18/ \$9	\$ - 0 -
Independent Claims	3	- 0 -	\$78/\$39	\$ - 0 -
TOTAL FEE DUE:				\$ - 0 -

3. A check in the amount of \$380.00 is enclosed. A copy of the Verified Statement of Small Entity Status filed with prior application Serial No. 08/900,174 is enclosed, as is a copy of the Verified Statement of Small Entity Status as filed in the prior application on behalf of the Assignee.

4. The Commissioner of Patents is hereby requested to credit any overpayment, or is authorized to draw on the Deposit Account of Payne, Lundein, D'Ambrosio & Arismendi, L.L.P., Account No. 19-3884 (PISA,007/C/CON), if there the accompanying check is unsigned, is insufficient, or if the check is inadvertently not attached to this paper.

5. Cancel in this application original claims \_\_\_\_\_ inclusively of the prior application before calculating the filing fee. At least one independent claim has been retained for filing purposes.

6. Amend the specification by inserting before the first line the sentence --This application is a continuation application of co-pending application Serial No. 08/900,174, filed on July 25, 1997 and now issued as Patent No. 5,893,890--. All prior applications listed are hereby incorporated herein in their entirety by this specific reference.

7. The prior application Serial No. 08/900,174 was assigned to Perumala Corporation by Assignment executed November 17, 1998, which document was transmitted to the Office for recordation on December 28, 1998.

8. The power of attorney granted by the Inventor in the prior application is to:

Mark R. Wisner, Registration No. 30,603;  
Alton W. Payne, Registration No. 30,580; and  
Malcolm H. Skolnick, Registration No. 33,788.

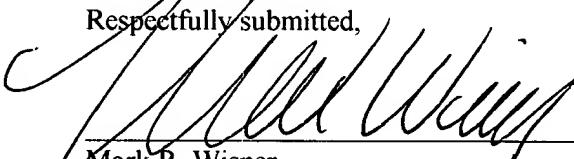
a. The power appears in the original papers in the prior application. A copy is enclosed for the convenience of the Office, as is the Power executed by the Assignee and filed in the prior application on December 28, 1998.

b. Address all future communications and telephone calls to:

Mark R. Wisner  
Payne, Lundeen, D'Ambrosio & Arismendi, L.L.P.  
1700 West Loop South, Suite 1230  
Houston, Texas 77027-3008  
(713) 840-8008  
Facsimile: (713) 840-8088

9. I hereby certify that the attached papers are a true copy of prior application Serial No. 08/900,174, filed on July 25, 1997, and that no amendments referred to in the oath or declaration (if any) filed to complete the prior application introduced new matter therein.

Respectfully submitted,



Mark R. Wisner  
Registration No. 30,603  
Payne, Lundeen, D'Ambrosio & Arismendi, L.L.P.  
1700 West Loop South, Suite 1230  
Houston, TX 77027-3008  
(713) 840-8008  
Fax: (713) 840-8088

ATTORNEY FOR APPLICANT

Date: April 13, 1999